

1 JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

3 ANDREW M. SCOBLE (CSBN 124940)  
NICOLE KIM (NYBN 4435806)  
5 Assistant United States Attorney

6 450 Golden Gate Ave.  
San Francisco, California 94102  
7 Telephone: (415) 436-7249  
Fax: (415) 436-6982  
8 E-Mail: [andrew.scoble@usdoj.gov](mailto:andrew.scoble@usdoj.gov)  
[nicole.kim@usdoj.gov](mailto:nicole.kim@usdoj.gov)

9 Attorneys for Plaintiff

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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

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16 UNITED STATES OF AMERICA, ) No.: CR 06-0428 SI  
17 Plaintiff, ) No.: CR 05-0375 SI  
18 ) No.: CR 06-0426 SI  
19 v. ) STIPULATION CONTINUING  
EDWIN TOY, ) HEARING; AND [PROPOSED] ORDER  
20 )  
Defendant. )  
21 \_\_\_\_\_)

22  
23 STIPULATION

24 The parties, through undersigned counsel, STIPULATE that the hearing for change of  
25 plea in the above-described cases, which is currently set for January 18, 2008, may – with the  
26 Court’s concurrence – be continued to February 29, 2008 at 11:00 a.m. The parties request this  
27 continuance because they have not yet agreed upon all the terms for the written plea agreement,  
28 including (1) the precise counts to which the defendant will enter guilty pleas and which will be

1 dismissed in the remaining case(s); (2) the government's requirement that the defendant enter a  
2 plea to a charge of structuring deposits; and (3) the amounts and bases of criminal forfeiture.

3 The government has had to conduct further analysis of records of the defendant's business, to  
4 determine funds for potential forfeiture and the legal bases therefor. Unfortunately, this process  
5 is not yet complete. However, the parties represent that they are working on the written plea  
6 agreement and anticipate that the change of plea can go forward on the proposed new date.

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8 Dated: 1/11/08

JOSEPH P. RUSSONIELLO  
United States Attorney

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11 Dated: 1/11/08

/s/  
ANDREW M. SCOBLE  
NICOLE KIM  
Assistant United States Attorneys

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/s/  
DENNIS ROBERTS  
Attorney for Defendant

/s/  
GAIL SHIFMAN  
Attorney for Defendant

[PROPOSED] ORDER

Based upon the above Stipulation, and for good cause appearing, THE COURT ORDERS

THAT:

1. The change of plea in the above-described cases is continued to Friday, February 29, 2008 at 11:00 a.m.

Dated:

  
HON. SUSAN ILLSTON  
United States District Judge